

**4198. Misbranding of "Wm. Radam's Microbe Killer." U. S. \* \* \* v. 6 Cases \* \* \* of "Wm. Radam's Microbe Killer." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6444. I. S. No. 19003-k. S. No. W-41.)**

On April 14, 1915, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases, each containing 12 bottles of "Wm. Radam's Microbe Killer," remaining unsold in the original unbroken packages at Portland, Ore., alleging that the product had been shipped, on April 10, 1915, and transported from the State of California into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. Each of the cases was marked in part: "Wm. Radams Microbe Killer Wm. Radams Microbe Killer Trade Mark Manufactured San Francisco Calif Glass With Care This side up Steamer Bear." The bottles in two of the cases were labeled: "William Radam's Microbe Killer Three \* \* \* a blood purifier antiseptic and tonic Directions \* \* \* number one for headache, neuralgia, croup, mumps, measles, whooping cough, tonsillitis, throat complaints, dyspepsia, indigestion, gastritis and other stomach troubles, also for asthma, bronchitis and consumption; number two for colds, coughs, malaria, grippe, catarrh, rheumatism, tumors, cancer, and other blood and chronic diseases; number three being very strong should be used only for very stubborn cases where number two after a fair trial fails to bring improvement. Book tells all; mailed free; the great home remedy for young and old; learn the reason why we get sick, how we can get well and keep well; read the book; mailed free until you fully understand it; sworn testimony in New York supreme court shows that this remedy was used with good results in every instance. It is unequalled as a digestive and for throat and stomach trouble Try it and be convinced; write for circular for mens or womens special diseases; beware of imitations. Wm. Radam, Laboratory No. 10, San Francisco, Calif." The bottles in two other cases were labeled: "William Radam's Microbe Killer Two \* \* \* a blood purifier \* \* \* antiseptic and tonic. Directions \* \* \* number one for headache, neuralgia, croup, mumps, measles, whooping cough, tonsillitis, throat complaints, dyspepsia, indigestion, gastritis and other stomach troubles, also for asthma, bronchitis and consumption; number two for colds, coughs, malaria, grippe, catarrh, rheumatism, tumors, cancer, and other blood and chronic diseases; number three being very strong should be used only for very stubborn cases where number two after a fair trial fails to bring improvement. Book tells all; mailed free; the great home remedy for young and old; learn the reason why we get sick, how we can get well and keep well; read the book; mailed free until you fully understand it; sworn testimony in New York supreme court shows that this remedy was used with good results in every instance. It is unequalled as a digestive and for throat and stomach trouble Try it and be convinced; write for circular for mens or womens special diseases; beware of imitations. Wm. Radam, Laboratory No. 10, San Francisco, Calif." The bottles in the remaining two cases were labeled: "William Radam's Microbe Killer One \* \* \* A blood purifier, antiseptic and tonic; Directions \* \* \* number one for headache, neuralgia, croup, mumps, measles, whooping cough, tonsillitis, throat complaints, dyspepsia, indigestion, gastritis and other stomach troubles, also for asthma, bronchitis and consumption; number two for colds, coughs, malaria, grippe, catarrh, rheumatism, tumors, cancer, and other blood and chronic diseases; number three being very strong should be used only for very stubborn cases where number two after a fair trial fails to bring improvement. Book tells all; mailed free; the great home remedy for young and old; learn the reason why we get sick, how we can get well and

keep well; read the book, mailed free, until you fully understand it; sworn testimony in New York supreme court shows that this remedy was used with good results in every instance. It is unequalled as a digestive and for throat and stomach trouble. Try it and be convinced; write for circular for mens or womens special diseases; beware of imitations. Wm. Radam, Laboratory No. 10, San Francisco, Calif."

Misbranding of the article was alleged in the libel for the reason that the label upon each of the bottles bore and contained statements regarding the curative effect of the drug and contents thereof and of the substance in said bottles contained, which were false and fraudulent, in that the said drug and substances so in each of the bottles contained were but an aqueous solution of sulphurous and sulphuric acids and wholly ineffective in the treatment and cure of headache, neuralgia, croup, mumps, measles, whooping cough, tonsillitis, throat complaint, dyspepsia, indigestion, gastritis, and other stomach troubles, and of asthma, bronchitis, consumption, colds, coughs, malaria, croup, catarrh, rheumatism, tumors, cancers, and other blood and chronic diseases, or any thereof, but was a dangerous drug and substance when taken into the human body and system and wholly unfit for human consumption and use.

On July 26, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*